IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.68 OF 2006

Mahendra Jagdish Keni & Ors. ....Applicants.

V/s

The State of Maharashtra
At the instance of
Dahanu Police Station. ....Respondent.

---

Mr. Milind Sawant for the applicants.

Ms. Rajeshree M. Gadhavi, APP for the respondent.

---

**CORAM: V.M. KANADE, J.**

**DATE: 23rd January, 2006**

P.C.:

1. Heard the learned Counsel appearing on behalf of the applicants and the learned APP for the State.

2. A complaint has been lodged at Dahanu Police Station against the applicants vide F.I.R. No. 1-89/05 for the offence punishable under sections 147, 148, 149, 326, 427, 323, 504, 307 of the Indian Penal Code. It is alleged that the applicants along with others assaulted the complainant and one more person with hockey stick and lathi.

3. It is submitted by the learned Counsel appearing on behalf of the applicants that section 307 has been

added subsequently and the injury certificate discloses that the injuries are simple in nature. He submitted that there are no criminal antecedents so far as the applicants are concerned and, therefore, they are entitled to be released on bail.

4. The learned APP for the State has submitted that the names of the applicants have been mentioned in the F.I.R. and in the statement of one another witness. I have perused the said statement as also the injury certificate. It appears that the said certificate discloses that injuries are simple in nature though they are on head and other part of the body.

5. Considering the fact that there are no criminal antecedents against the applicants and the injury is not very grievous as disclosed by the medical certificate, the applicants be released on bail in the sum of Rs 5000/- each with one or two sureties in the like amount each. The applicants shall report to Dahanu Police Station once in a week till the filing of the charge-sheet and, thereafter, twice in a month till the disposal of the trial.

**V.M. KANADE, J.**